

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ROCHELLE EVELYN a/k/a “Rachel baht Yahudah”;
ROYCE CORLEY a/k/a “Yisrael ben Yahudah”,

24-CV-0528 (MMG)

Plaintiffs,

NOTICE OF MOTION

- against -

RANTAB ENTERPRISES INCORPORATED d/b/a
“Rantab Restaurant Cuisine”; ANJALI SINGH, M.D.;
CHRISTINA LIU, M.D.; JANE DOE, in their individual
and official capacities as employees of ST LUKE’S –
ROOSEVELT HOSPITAL CENTER a/k/a “Mount Sinai
Morningside”; NYPD OFFICER #1; NYPD OFFICER
#2; JOHN DOE in their individual and official
capacities as public officers of the City of New York;
MOUNT SINAI MORNINGSSIDE; CITY OF NEW
YORK,

Defendants.

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PLEASE TAKE NOTICE that, upon the annexed Declaration of Gabrielle Apfel, dated July 25, 2024; the Memorandum of Law and accompanying exhibit; and upon all prior pleadings and proceedings had herein, Defendants MOUNT SINAI MORNINGSSIDE, ANJALI SINGH, M.D., and CHRISTINA LIU, M.D., by their attorneys, Heidell, Pittoni, Murphy and Bach, LLP, will move this Court at United States District Court, Southern District of New York at 40 Foley Square, Courtroom 906, New York, New York 10007, for an Order pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, dismissing Plaintiffs’ Complaint with prejudice for failure to state a cause of action against the Defendants, and granting the Defendants such other and further relief as this Court deems just and proper.

Dated: New York, New York
July 25, 2024

Yours, etc.,

HEIDELL, PITTONI, MURPHY & BACH, LLP

By: _____

GABRIELLE APFEL (GA 5326)

99 Park Avenue

New York, New York 10016

Tel: (212) 286-8585

Fax: (212) 490-8966

gapfel@hpmb.com

Attorneys for Defendants

MOUNT SINAI MORNINGSSIDE and

ANJALI SINGH, M.D.

TO: **VIA MAIL**

Rochelle Evelyn

Plaintiff Pro Se

5402 Elsrode Avenue

Baltimore, Maryland 21214

Royce Corley

Plaintiff Pro Se

1207 Delaware Avenue, Suite 1619

Wilmington, Delaware 19806

VIA ECF

Thomas Lai

Attorneys for Defendant

The City of New York

tlai@law.nyc.gov

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AFFIDAVIT OF SERVICE

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

LUNDELL WILSON, being duly sworn, deposes and says:

Deponent is not a party to the action, is over 18 years of age and is employed by
CANON BUSINESS PROCESS SERVICES.

On July 25, 2024 deponent served the within ***NOTICE OF MOTION, DECLARATION IN SUPPORT, MEMORANDUM OF LAW*** upon the following party at the
addresses designated by said parties for that purpose by delivering a true copy of same via
CERTIFIED MAIL.

TO: **VIA CERTIFIED MAIL**

Rochelle Evelyn
Plaintiff Pro Se
5402 Elsrode Avenue
Baltimore, Maryland 21214

Royce Corley
Plaintiff Pro Se
1207 Delaware Avenue, Suite 1619
Wilmington, Delaware 19806


LUNDELL WILSON

Sworn to before me this
25 day of July, 2024


NOTARY PUBLIC

Laura G. DeSanti
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01DE6419682
Qualified in New York County
Commission Expires 07/12/2025